

**United States District Court
Eastern District of Wisconsin (Milwaukee)
CRIMINAL DOCKET FOR CASE #: 2:09-cr-00276-CNC-WEC-2**

Case title: USA v. Mosby et al

Date Filed: 11/03/2009

Date Terminated: 10/28/2010

Assigned to: Chief Judge Charles N
Clevert, Jr
Referred to: Magistrate Judge
William E Callahan, Jr

Defendant (2)

James Cain

TERMINATED: 10/28/2010

represented by **Scott D Obernberger**

The Law Office of Scott Obernberger LLC
310 W Wisconsin Ave – Ste 1220E

Milwaukee, WI 53203-2213

414-220-9044

Fax: 414-224-6013

Email: scottobernberger32@sbcglobal.net

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Pending Counts

21:846, 841(a)(1) and 841(b)(1)(A)
– CONSPIRACY TO DISTRIBUTE
CONTROLLED SUBSTANCE
(1)

21:843(b) – USE
COMMUNICATIONS FACILITY –
CONTROLLED SUBSTANCE –
DISTR.
(1s)

Disposition

SENT: 48 mos. imprisonment. SUPERVISED
RELEASE: 1 Yr. SA: \$100.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints**Disposition**None

Plaintiff**USA**

represented by **Elizabeth M Blackwood**
United States Department of Justice
(ED-WI)
Office of the US Attorney
517 E Wisconsin Ave – Rm 530
Milwaukee, WI 53202
414-297-1582
Fax: 414-297-1738
Email: elizabeth.blackwood@usdoj.gov
ATTORNEY TO BE NOTICED

Gregory J Haanstad
United States Department of Justice
(ED-WI)
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517 E Wisconsin Ave – Rm 530
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ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
11/03/2009	<u>1</u>		INDICTMENT as to Brandon MOSBY (1) count 1 & 4; James CAIN (2) count 1; Shannan WILLIS (3) counts 1-3. (Attachments: # <u>1</u> Information Sheets) (kmf)
02/01/2010	<u>8</u>		Minute Entry (AEG) Arraignment and Plea hrg. held on 2/1/10 as to James CAIN and Shannan WILLIS. Defendants advised of rights, charges, penalties and fines. NOT GUILTY plea entered by each deft. Cr. w/appoint counsel for each deft. STD: 5/2/10. Case referred to Magistrate Judge William E Callahan, Jr. for pretrial purpose. BRIEFING: 2/22/10, 3/4/10, 3/9/10. Court orders GJ materials disclosed no later than 1 business day prior to trial. FPT: 4/14/10 at 9:30. TRIAL: 4/26/10 at 8:30. TRIAL EST: 3 days. Govt. believes conditions can be found for each deft. and requests a temp. detention. Deft. counsel agrees and requests temp. detention to allow appointed counsel to look into matter. Cr. statements before ruling. Cr. w/enter an order of detention but is willing to review the matter once appointed counsel has a proposal. (Tape #1:34:23-1:44:46) (kmf) (Entered: 02/02/2010)
02/01/2010	<u>9</u>		PRETRIAL ORDER as to James CAIN and Shannan WILLIS. Motion due: 2/22/10; Response due: 3/4/10; Reply due: 3/9/10. Signed by Magistrate Judge William E Callahan, Jr on 2/1/10. (cc: all counsel) (kmf) (Entered: 02/02/2010)
02/01/2010	<u>10</u>		ORDER OF DETENTION Pending Trial as to James CAIN. Signed by

		Magistrate Judge Aaron E Goodstein on 2/1/10. (cc: all counsel) (kmf) (Entered: 02/02/2010)
02/01/2010	<u>12</u>	Warrant, executed on 2/1/10, returned as to James CAIN. (kmf) (Entered: 02/04/2010)
02/04/2010	<u>14</u>	CJA 20 as to James CAIN: Appointment of Attorney Scott D Obernberger. Signed by Magistrate Judge Aaron E Goodstein on 2/3/10.(Nunc pro tunc 2/2/10) (cc: all counsel) (kmf) (Entered: 02/08/2010)
02/10/2010	<u>15</u>	First MOTION for Bail Review by James Cain. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Letter)(Obernberger, Scott)
02/12/2010	<u>17</u>	NOTICE OF HEARING as to James CAIN. Bond Hearing set for 2/16/2010 at 02:00 PM before Magistrate Judge Aaron E Goodstein. (cc: all counsel)(kmf)
02/16/2010	<u>18</u>	Minute Entry (AEG)Bond Hearing held on 2/16/10 as to James CAIN. Deft. has filed a request for release on bond. Deft. indicates family can raise \$2,500. Deft. requests outpatient treatment. Govt. finds \$2,500 sufficient and w/recommend treatment and employment. Crt. statements before ruling. Substantial penalties. Crt. set \$2,500 cash bond w/conditions: 1). Deft. to reside w/mother. 2). Report to PTS as directed. 3). No drugs. 4). Random urinalysis testing. 5). Treatment as deemed appropriate by PTS. 6). Mental health assessment. 7). Remain in the E.D. of Wisconsin. 8). No firearms. 9). Seek employment. Deft. can be released when monies are posted. (Tape #2:00:59–2:16:51) (kmf)
02/26/2010	<u>24</u>	Receipt #MK 4689016619 for \$2,500 cash posted by Crystal L. Jackley as bond for James CAIN. (kmf) (Entered: 03/02/2010)
03/26/2010	<u>28</u>	WAIVER of Speedy Trial by James Cain. (Obernberger, Scott)
04/14/2010	<u>30</u>	MINUTE ORDER. Court convened for a hearing on 4/14/10 as to James CAIN and Shannan WILLIS. Attorney Obernberger's oral motion for leave to withdraw as counsel for defendant Cain is granted. Defendant Cain will seek to retain counsel. Defendants waive speedy trial rights. Court finds it is in the interests of justice to adjourn the trial scheduled for 4/26/10 and to continue the tolling of time under the Speedy Trial Act. HEARING is SET for 4/27/10 at 1:30 PM. Defendant Cain is to appear with new counsel to schedule trial and defendant Willis is set to appear for a COP. (Tape #9:42:24 to 9:55:56) ((kwb), C. N. Clevert, Jr.)
04/27/2010	<u>34</u>	MINUTE ORDER. Status Conference held on 4/27/10 as to James CAIN. Based upon the oral request of the defendant, the court directs Federal Defender Services to reappoint Attorney Obernberger as counsel, or alternatively, appoint new counsel to represent him. A STATUS CONFERENCE is set for 5/12/10 at 11:00 AM. Time under the Speedy Trial Act continues to toll. (Tape #1:34:07 to 1:36:18 and 2:37:22 to 2:42:04) ((kwb), C. N. Clevert, Jr.)
05/12/2010	<u>36</u>	MINUTE ORDER. Status Conference held on 5/12/10 as to James CAIN. Change of Plea Hearing set for 6/18/10 at 11:00 AM in Courtroom 222. Time under the Speedy Trial Act is tolled. Court grants defendant's oral request to travel. Defendant to submit detailed itinerary to Pretrial Services for advance approval. (Tape #12:03:05 to 12:10:33) ((kwb), C. N. Clevert, Jr.)
05/27/2010	<u>37</u>	ORDER Setting Conditions of Release as to James CAIN. (cc: all counsel) (kmf)

			(Entered: 05/28/2010)
05/28/2010	<u>38</u>		Appearance Bond (\$2,500 cash) as to James CAIN. (kmf)
06/03/2010	<u>39</u>		PETITION from USPO Frederic T. Robison for Defendant James Cain that the condition requiring defendant to live with his mother be removed (vkb) (Entered: 06/07/2010)
06/03/2010			TEXT ONLY ORDER by Magistrate Judge Aaron E Goodstein on 6/03/10 as to James Cain GRANTING <u>39</u> Petition from Probation (cc: all counsel) (vkb) (Entered: 06/07/2010)
06/18/2010	<u>40</u>		SUPERSEDING INFORMATION as to James CAIN (2) count 1s. (kmf)
06/18/2010	<u>41</u>		WAIVER OF INDICTMENT by James CAIN. (kmf)
06/18/2010	<u>42</u>		PLEA AGREEMENT as to James CAIN. (kmf)
06/18/2010	<u>43</u>		Minute Entry for Change of Plea held before Chief Judge Charles N Clevert, Jr as to James Cain on 6/18/2010. Guilty plea entered by James Cain (2) as to Count 1 of the one-count Information. The court accepts the deft's guilty plea and adjudges him guilty. Sentencing set for 10/8/2010 09:30 AM in Courtroom 222, 517 E. Wisconsin Ave., Milwaukee, WI 53202 before Chief Judge Charles N Clevert Jr. (Tape #FTR Gold 11:38:01 – 12:06:19) (bdr) (Entered: 06/22/2010)
08/12/2010	<u>44</u>		NOTICE OF ATTORNEY APPEARANCE: Elizabeth M Blackwood appearing for USA (Blackwood, Elizabeth)
09/24/2010	<u>47</u>		OBJECTION TO PRESENTENCE INVESTIGATION REPORT by James Cain. <i>Sentencing Memorandum and Motion for Below Guideline Sentence.</i> (Attachments: # <u>1</u> Exhibit)(Obernberger, Scott)
10/08/2010	<u>49</u>		Minute Entry for proceedings held before Chief Judge Charles N Clevert, Jr: Sentencing held on 10/8/2010. The defendant is sentenced to forty-eight (48) months imprisonment as to the one count Superseding Information followed by 1 year supervised release. Conditions of Supervised Release/Probation imposed. SEE Judgment for additional details. (Tape #9:44:47–10:35:58) (cms) (Entered: 10/21/2010)
10/13/2010	<u>48</u>		REQUEST by Crystal Jackley for return of bond posted for deft. James CAIN. (kmf) (Entered: 10/14/2010)
10/28/2010	<u>50</u>	7	JUDGMENT as to James CAIN (2). SENT: 48 mos. imprisonment as to count 1 of the Superseding Indictment. Deft. shall surrender for service of sentence as notified. SUPERVISED RELEASE: 1 Yr. Conditions of Supervised Release imposed. See judgment for additional details. SA: \$100. The govt. is granted leave to dismiss count 1 of the Indictment as it related to this deft. Signed by Chief Judge Charles N Clevert, Jr on 10/28/10. (cc: all counsel) (kmf) (Entered: 11/03/2010)
11/03/2010	<u>51</u>	5	NOTICE OF APPEAL by James Cain as to <u>50</u> Judgment. ((kwb), C. N. Clevert, Jr.)
11/04/2010	<u>52</u>	6	7th Circuit Information Sheet re: <u>51</u> Notice of Appeal (dmm)
11/04/2010	<u>53</u>		Attorney Cover Letter re: <u>51</u> Notice of Appeal (Attachments: # <u>1</u> Docket sheet)(dmm)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES ANTONIO CAIN,

Defendant.

NOTICE OF APPEAL

Case No. 09-CR-276

Notice is hereby given that the defendant, James Antonio Cain, appeals to the United States Court of Appeals for the Seventh Circuit from the final judgment entered in this action on November 3, 2010.

This notice has been prepared and filed by the Clerk of Court on behalf of the defendant pursuant to Rule 32(j)(2), Federal Rules of Criminal Procedure.

Dated at Milwaukee, Wisconsin, on this 3rd day of November, 2010.

Jon W. Sanfilippo
U.S. District Court Clerk

By: /s/Kristine W. Brah

Deputy Clerk

SEVENTH CIRCUIT APPEAL INFORMATION SHEET

Include names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal.
Use separate sheet if needed.

District: **Eastern District of Wisconsin**

Docket No.: **09-CR-276**

Division: **Milwaukee**

Plaintiff (Petitioner)
(UNITED STATES OF AMERICA)

Short Caption

v. James Antonio Cain)

Defendant (Respondent)

Current Counsel for Plaintiff (Petitioner):
(Respondent):

Current Counsel for Defendant

(Use separate sheet for additional counsel)

Name: Elizabeth Blackwood
Firm: Assistant U.S. Attorney
Address: 517 E. Wisconsin Ave., Rm. 530
Milwaukee, WI 53202
Phone: (414)297-1700

Name: Scott Obernberger
Firm: Law Office of Scott Obernberger
Address: 310 W. Wisconsin Ave - Ste
1220E
Milwaukee, WI 53203-2213
Phone: 414-220-9044

Judge: Charles N. Clevert
Court Reporter: _____

Nature of Suit Code: N/A
Date Filed in District Court: 11/3/09
Date of Judgment: 11/3/10
Date of Notice of Appeal: 11/3/10

Counsel: ☒ Appointed ☐ Retained ☐ Pro Se

Fee Status: ☐ Paid ☐ Due ☐ IFP ☐ IFP Pending ☐ U.S. ☒ Waived

(Please mark only 1 item above)

Has Docketing Statement been filed with the District Court's Clerk's Office: ☐ Yes ☒ No

**IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK
OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(a).**

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

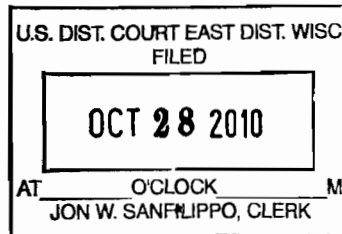
JUDGMENT IN A CRIMINAL CASE

v.

Case Number: 09-CR-276

JAMES ANTONIO CAIN

USM Number: 10416-089



Scott D. Obernberger
Defendant's Attorney

Gregory J. Haanstad
Assistant United States Attorney

THE DEFENDANT:

- ☒ pleaded guilty on June 18, 2010, to the one count Superseding Information.
- ☐ pleaded nolo contendere to count(s) _____ which was accepted by the court.
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudicated guilty of this offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
21 U.S.C. § 843(b)	Using a Communication Device to Facilitate the Attempted Distribution of a Controlled Substance.	November 3, 2009	One

The defendant is sentenced as provided in Pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____.
- ☒ The government is granted leave to dismiss count one of the Indictment as it relates to the defendant.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and the United States attorney of material changes in economic circumstances.

October 8, 2010

Date of Imposition of Judgment

C. N. Clevert, Jr.
Signature of Judicial Officer

C. N. Clevert, Jr., Chief U.S. District Judge
Name & Title of Judicial Officer

10/28/2010

Defendant: James Antonio Cain
Case Number: 09-CR-276

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to a term of forty-eight (48) months imprisonment as to Count One of the Superseding Information.

- ☒ The court makes the following recommendations to the Bureau of Prisons:

Participation in the "500 Hour" Drug Treatment Program.

Placement in a facility as close to Milwaukee, WI as programming and security considerations will allow.

- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.
- ☐ at _____ ☐ a.m. ☐ p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
- ☐ before 2 p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☒ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

a _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By

DEPUTY UNITED STATES MARSHAL

Defendant: James Antonio Cain
 Case Number: 09-CR-276

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of one (1) year as to Count One of the Superseding Information.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, explosives, any destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notification and to confirm the defendant's compliance with such notification requirement.

Defendant: James Antonio Cain

Case Number: 09-CR-276

ADDITIONAL CONDITIONS OF SUPERVISED RELEASE

1. Within 72 hours of release from custody of the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released.
2. The defendant shall not possess any firearms, ammunition or other dangerous weapons, as such possession will result in revocation of the supervision term.
3. Pursuant to the Violent Crime Control and Law Enforcement Act of 1994, the defendant shall not illegally possess any controlled substances. Such possession will result in revocation of the supervision term. The defendant shall refrain from any unlawful use of a controlled substance.
4. The defendant shall participate in the Cognitive Intervention Program, if available, and under the guidance and supervision of his supervising probation officer.
5. The defendant shall participate in a program of testing to include not more than six urinalysis tests per month and residential or outpatient treatment for drug and alcohol abuse, as approved by his probation officer, until such time as he is released from such program. The defendant is to refrain from excessive use of alcoholic beverages throughout the supervised release term.
6. The defendant is to cooperate with the Child Support Enforcement Unit in payment of any child support or arrearage and to make regular payments under the guidance and supervision of his supervising probation officer.
7. To the extent that there is a balance due and owing on the Special Assessment the defendant shall make payments of not less than \$10.00 per month commencing no earlier than 60 days after his release from incarceration.
8. The defendant shall not be allowed to work at a tavern or be allowed to patronize taverns or any other establishments where alcohol is the primary source of revenue.
9. The defendant shall participate in a mental health treatment program and shall take any and all prescribed medications as directed by the treatment provider and participate in any psychological/psychiatric evaluation and counseling as approved by the supervising probation officer.
10. The defendant shall obtain his General Equivalency Diploma (GED) or High School Equivalency Diploma (HSED).

Defendant: James Antonio Cain
Case Number: 09-CR-276**CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<u>Totals:</u>	\$ 100.00	None	None

- ☐ The determination of restitution is deferred until _____.
An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- ☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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Totals:	\$ _____	\$ _____
	\$ _____	

- ☐ Restitution amount ordered pursuant to plea agreement \$ _____.
- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).
- ☐ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:
- ☐ the interest requirement is waived for the ☐ fine ☐ restitution.
- ☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

Defendant: James Antonio Cain
Case Number: 09-CR-276

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A** ☒ Lump sum payment of \$100.00 for the Special Assessment is due immediately. If the defendant cannot make full and immediate payment, then the balance is to be paid
☐ not later than _____, or
☐ in accordance ☐ C, ☐ D, ☐ E or ☒ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Restitution is Joint and Several:
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.